

[SEQ CHAPTER \h \r 1]UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2

Rolling Knolls Landfill Superfund Site
Draft Remedial Investigation Report

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I have reviewed the November 2016 “Draft Remedial Investigation Report (RI)” prepared for the Rolling Knolls Landfill Superfund Site, located in Chatham Township, Morris County, New Jersey, for issues relating to environmental and cultural resources. This approximately 170 acre site consists of a former municipal landfill located at the southern end of Britten Road near the Green Village section of Chatham Township. Eastern and southern portions of the landfill lie within the boundaries of the Great Swamp National Wildlife Refuge (GSNWR), which is owned and administered by the U.S. Fish and Wildlife Service (FWS).

Based on our review of this document, the following federal location-specific ARARs/ TBCs are or may be applicable for this project:

- **Executive Order 11988, “Floodplain Management;”**
- **Executive Order 11990, “Protection of Wetlands;”**
- **Executive Order 13690, “Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input;**
- **EPA’s 1985 Statement of Policy on Floodplains/Wetlands Assessments for CERCLA Actions;**
- **the Endangered Species Act;**
- **the National Historic Preservation Act; and**
- **the Wilderness Act.**

We have also reviewed this document for project specific issues relating to environmental and cultural resources, and offer the following comments.

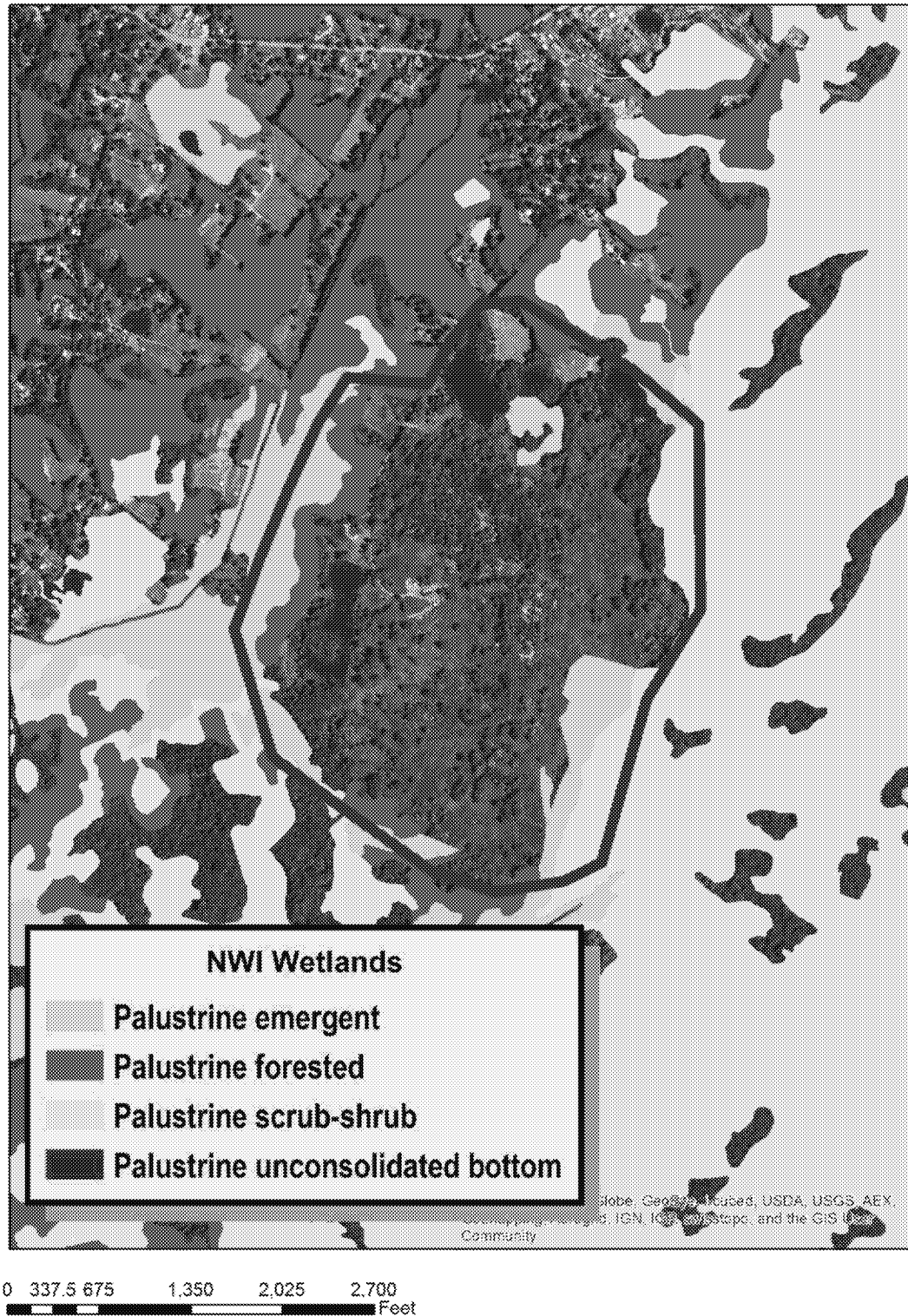
Wetlands

This report notes that 202 acres of wetlands exist in the survey area, including 30.6 acres within the landfill. In addition, the site is partially included within the Great Swamp National Wildlife Refuge, and a review of National Wetlands Inventory GIS mapping indicates it is nearly completely surrounded by wetlands. Please note that if wetlands are proposed to be impacted by future remedial activities, in addition to the completed delineation, a wetlands assessment will be needed. This assessment should include:

- an assessment of wetlands values and functions;
- a characterization of flora and fauna;
- a brief discussion of the impacts of any preferred remedial alternative as compared to the other options;
- the effects of contaminants on wetlands resources;
- measures to minimize potential adverse impacts that cannot be avoided;

- replacement for wetlands losses (mitigation); and
- a post-mitigation monitoring plan, if needed.

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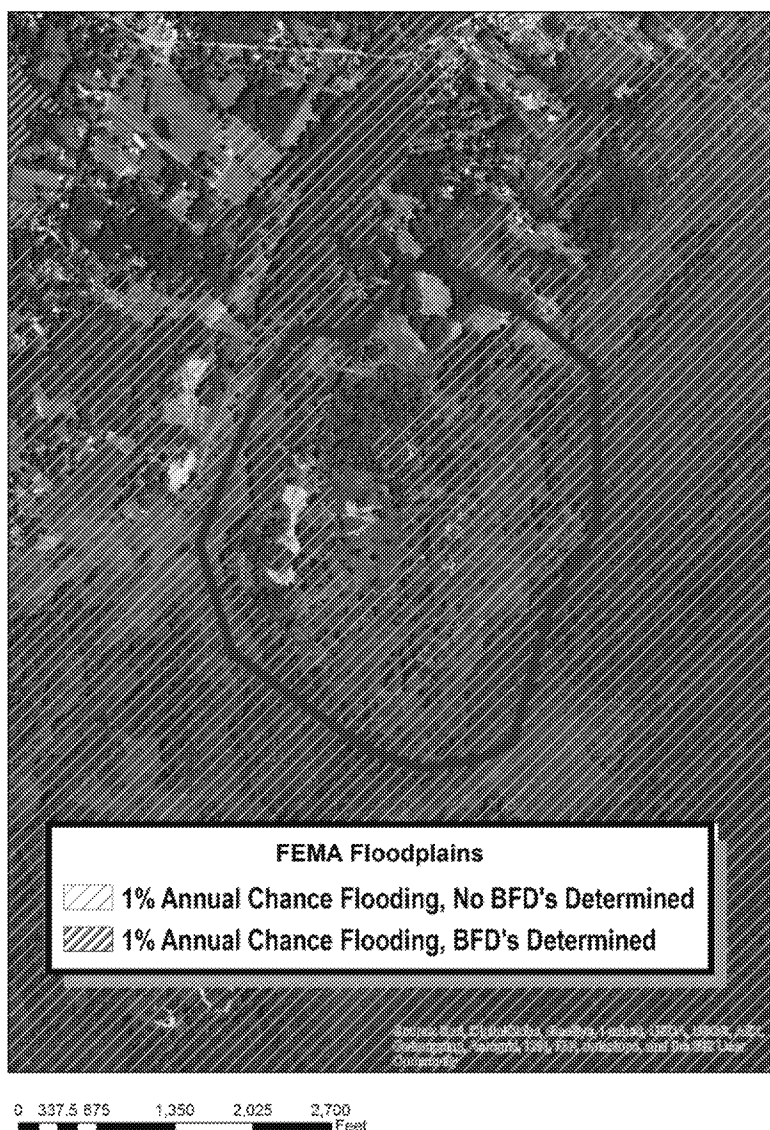
Floodplains

According to available GIS layers, much of the site is located within the 100-year floodplain as determined by the Federal Emergency Management Agency. Accordingly, we recommend that future documents include a delineation of the 100-year and 500-year floodplain. If any future remedial activities are proposed within either floodplain, a floodplain assessment will be needed. Please note that this assessment should include:

- a description of the proposed action;
- the effects of the proposed action on the floodplain;
- a discussion of the impacts of the proposed action as compared to the other options; and
- measures to mitigate potential harm to the floodplain if there is no practicable alternative to locating in or affecting the floodplain, including measures to mitigate any potential impacts to the proposed remedial action from flooding events both during and after implementation of the proposed remedy.

This assessment will be needed to protect the remedy against the adverse effects of the 100-year and 500-year flood, including the spreading of contaminants and the long-term disabling of any needed remedial treatment systems.

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Threatened/Endangered Species

According to this document, the project area had been surveyed for this presence of the federally-listed (threatened) bog turtle (*Clemmys muhlenbergii*) in 2008. No bog turtles were identified during this survey. However, while much of the site is comprised of heavily disturbed landfill areas, bog turtle habitat was found to be present both onsite and offsite along the periphery of the landfill. Accordingly, during remedial investigation activities, best management practices were agreed to with the USFWS, and utilized to avoid impacts to this species.

The RI also noted the presence of the Indiana bat within the project area. Further, in addition to the bog turtle and Indiana Bat, the USFWS' online iPaC system indicated that the northern-long eared bat is also known from the project area. Consequently, impacts to these species and their habitat from any remedial alternatives under consideration should be assessed during the FS: continued consultation with the USFWS will likely be required.

Cultural Resources

We note that a previous document concerning the installation of monitoring wells at this site stated that no properties on the New Jersey or National Register of Historic Places were found in the vicinity of the proposed activities. As the scope of potential ground disturbance associated with that action were quite limited, we concurred that adverse effects to cultural resources as a result of its implementation was not likely.

Please note, however, that in general the lack of known sites is not enough to preclude potential adverse effects to cultural resources protected under the tenets of the National Historic Preservation Act (NHPA). While much of the project area has been disturbed by landfilling activities at the site dating back into the 1930s, we do recommend that if and once a ground disturbing remedy is likely, a Stage IA Cultural Resource Survey should be completed, to determine if effects to historic resources are possible, and to ensure compliance with the NHPA.

Wilderness Act

We had previously determined that the Wilderness Act may be an ARAR for the project, as the eastern half of the GSNWR was designated as a wilderness area by Congress in 1968. Certain activities are prohibited in wilderness areas, such as permanent or temporary roads, structures or installations, and commercial enterprises except as necessary to properly administer the area and protect public health and safety. The use of motorized vehicles or motorized equipment is also prohibited except as necessary to meet minimum requirements for the administration of the area (including measures required in emergencies involving the health or safety of persons within the area). The potential for any future remedial alternative to impact the federally-designated wilderness area portion of the GSNWR should be assessed during the FS.

Other Environmental ARARs

There are no wild and scenic rivers, coastal resources, coastal barriers, or significant agricultural lands in the vicinity of the site. The site does not lie within the designated coastal zone of the State of New Jersey. Therefore, the Wild and Scenic Rivers Act, the Coastal Barrier Resource Act, and the Farmland Protection Policy Act, and the Coastal Zone Management Act are not ARARs for this project.

Thank you for this opportunity to comment. I look forward to working with you as this project progresses, to ensure that all environmental resource issues are adequately addressed. If you have any questions concerning these comments, please feel free to contact me at x-3759.

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